

MEETINGS TO DATE 24  
NO. OF REGULARS 23  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
DECEMBER 7, 1981

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th day of December, 1981, at 8:00 P.M. and there were:

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
JOSEPH R. BARNHARDT, COUNCILMAN  
EDWARD A. BERENT, COUNCILMAN  
RONALD A. CZAPLA, COUNCILMAN  
LEONARD E. GRZYBOWSKI, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
ROBERT W. URBAN, HIGHWAY SUPERINTENDENT  
THOMAS E. FOWLER, CHIEF OF POLICE  
ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARINGS:

None

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Police Department, one (1) new 1982 Police Car for use by the Police Department of the Town of Lancaster.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

BID OPENING SCHEDULED FOR 8:00 P.M. CONT'D.:

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

<u>BIDDER</u>	<u>BID</u>
Mid City Dodge, Inc. 2185 Walden Avenue Buffalo, New York 14225	\$7578.00
Transitowne Dodge, Inc. 7408 Transit Road Williamsville, New York 14221	\$7,916.85

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BANRHARDT AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Chief of Police.

Later in the meeting, Chief Fowler recommended an award to Mid City Dodge, Inc., the lowest bidder. The Town Board at that time awarded the contract to Mid City Dodge, Inc.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

Councilman Berent, for the Recreation Committee, presented a communication from the Recreation Commission relative to cost of repairs to a leaking water line servicing the wading pool at Keysa Park. 1

The Town Clerk was directed to place this letter on the next Town Board agenda for review by all of the Town Board members.

Councilman Berent, for the Recreation Committee, recommended that the Town Board retain the services of Saratoga Associates for the purpose of developing Phase II Plan for Walden Pond Park.

COMMITTEE REPORTS CONT'D.:

The Town Attorney was directed to prepare a resolution for the December 21st meeting retaining the services of Saratoga Associates for this plan and also incorporating therein the annual report to the Bureau of Outdoor Recreation on the development of this park.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board of the  
Town of Lancaster, held November 23, 1981, as presented by the Town Clerk, be  
and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

SUPERVISOR KEYSA VOTED YES

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The resolution was thereupon unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, currently there is funding available to the County of Erie under the New York State Division for Youth for a "Youth Initiative" program, which funding is not fully committed by the County of Erie, and which the County of Erie is willing to rollover to the Town of Lancaster, and

WHEREAS, there is a demonstrated need in the community for the operation of a Junior Citizens Club at the Depew Branch to serve the needs of youth between the ages of 13 and 18 in the Village of Depew and the Depew area of the Town of Lancaster, and

WHEREAS, the Town of Lancaster has been informed that said Junior Citizens Club operations will be funded in part by funds currently available through the New York State Division for Youth in accordance with the individual program application and budget (Form DFY-2043) (Rev. 3/80), and

WHEREAS, on an annualized basis, such funding from the New York State Division for Youth - "Youth Initiative" Program could result in increased funding to the Depew/Lancaster Boys' Club;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to file with the New York State Division for Youth Form No. DFY-2043 (Rev. 3/80) "Individual Program Application and Budget" for the purpose of securing State funding for a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' Club, and for the purpose of acting as a conduit for passing these funds onto the Depew/Lancaster Boys' Club in accordance with procedures established by the New York State Division for Youth and

BE IT FURTHER

RESOLVED, that the Town Attorney be and is hereby authorized to negotiate and prepare an agreement by and between the Town of Lancaster and the Depew/Lancaster Boys' Club, Inc., for the operation of a Junior Citizens Club at the Depew Branch of the Depew/Lancaster Boys' Club, said Agreement to be subject to final approval by the Town Board.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows"

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has enacted an ordinance entitled Flood Plain Ordinance, Chapter 21 of the Code of the Town of Lancaster, on October 19, 1981, and

WHEREAS, there is a need to correct two errors in this ordinance as adopted, before same is published finally for insertion into the Town Code,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the said proposed amendments to the Flood Plain Ordinance, designated Chapter 21 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 21st day of December, 1981, at 8:15 o'clock P.M., Local Time, and that Notice of the time and Place of such hearing be published on or before December 10, 1981, in the Lancaster Enterprise & Journal, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	BARNHARDT	VOTED	YES
COUNCILMAN	BERENT	VOTED	YES
COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

December 7, 1981

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7th day of December, 1981, the said Town Board will hold a Public Hearing on the 21st day of December, 1981, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Flood Plain Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 21 of the Code of the Town of Lancaster:

§ 21.2-0 DEFINITIONS

"Habitable Floor" - is hereby amended to read as follows:

Habitable Floor - means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a "habitable floor."

§ 21.4-4.1-"Appeal Board" is hereby amended by adding thereto the following:

- (4) In passing upon such applications, the Town Board of the Town of Lancaster shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
- (i) the danger that materials may be swept onto other lands to the injury of others;
  - (ii) the danger to life and property due to flooding or erosion damage;
  - (iii) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (iv) the importance of the services provided by the proposed facility to the community;
  - (v) the necessity to the facility of a waterfront location, where applicable;
  - (vi) the availability of alternative locations for the the proposed use which are not subject to flooding or erosion damage;
  - (vii) the compatibility of the proposed use with existing and anticipated development;
  - (viii) the relationship of the proposed use to the comprehensive plan and flood plain management program of that area.
  - (ix) the safety of access to the property in times of flood for ordinary and emergency vehicles;

- (x) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
  - (xi) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (5) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this ordinance, the Town Board of the Town of Lancaster may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) The Town Clerk shall maintain the records of all appeal actions, including technical information and report any variances to the Federal Insurance Administration upon request.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
TOWN CLERK

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Building Inspector of the Town of Lancaster, by  
letter dated December 7, 1981, has requested authorization for himself  
and the Assistant Building Inspector to attend a construction-related course  
given by the Board of Cooperative Educational Services, to be held at the  
Harkness Center, beginning December 8, 1981,

NOW, THEREFORE, BE IT

RESOLVED, that ROBERT L. LANEY, Building Inspector, and JEFFREY H.  
SIMME, Assistant Building Inspector, of the Town of Lancaster, be and are  
hereby authorized to attend said course, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized  
in an amount not to exceed \$80.00 per person.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GRZYBOWSKI , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

RESOLVED, that the following transfers be and hereby are effected:

GENERAL FUND

<u>FROM</u> <u>ACCOUNT NO.:</u>	<u>TO</u> <u>ACCOUNT NO.:</u>	<u>AMOUNT</u>
1990	1110.1	\$ 916.00
1110.4	1110.2	193.00
1990	1220.1	428.00
1990	1220.2	600.00
1990	1320.4	8,300.00
1330.1	1330.2	88.00
1330.1	1330.4	60.00
1990	1430.4	600.00
1970	1960	293.00
1990	3120.2	8,813.00
9045.8	9042.8	151.00
9060	9055	2,529.00
1990	9561.9	14,000.00
7410.4	7411.4	400.00

SPECIAL DISTRICT FUND

Water Districts:

SW Dist. No. 3 Ext 2 9710.7	9710.6	2.62
SW Dist. No .7 Ext 2 9710.7	9710.6	2.65
SW Dist. No. 8 Ext 1 9710.7	9710.6	.78

Fire District:

3413	3414	500.00
3413	3416	3,100.00

FEDERAL REVENUE SHARING FUND

3620.4	3620.2	150.00
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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon ~~duky~~ unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, Lancaster Sanitary Land Fill, Inc., 2255 Bailey Avenue, Buffalo, New York, has heretofore been issued a permit and renewals thereof to operate a Sanitary Land Fill within the Town of Lancaster for the period September 1, 1961 to December 31, 1980, on a parcel of land east of Gunville Road containing approximately 97.5 acres, and

WHEREAS, the permittee has filed an application with the Town Clerk of the Town of Lancaster for a renewal of its permit to operate a Sanitary Land Fill on this 97.5 acre parcel for the year 1981 in accordance with the same terms and conditions as the original permit, and

WHEREAS, the Town Clerk of the Town of Lancaster, by letter dated December 4, 1980, has informed the Town Board that he has reviewed the renewal application, and also certified that there are no reports or additional license fees in arrears,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to issue a renewal permit to Lancaster Sanitary Land Fill, Inc., 2255 Bailey Avenue, Buffalo, New York, for the purpose of operating a Sanitary Land Fill within the Town of Lancaster during the year 1981 on a parcel of land containing approximately 97.5 acres, all in accordance with the renewal application of the corporation as filed in the Office of the Town Clerk with bond amount hereby set by the Town Board in the amount of \$25,000.00, and

BE IT FURTHER

RESOLVED, that the following surety be and is hereby approved as to form and sufficiency:

Deposit with the Town of Lancaster - 1875 negotiable shares of I.B.M. Corporation Common Stock with a market value on December 2, 1980 of \$66.50 per share; total surety as of December 2, 1980 - \$124,687.50.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~duhxx~~  
The resolution was thereupon unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is desiroys of  
implementing cost savings in the publication of ordinances by publishing same  
in summary, and

WHEREAS, the Municipal Home Rule Law of the State of New York  
Section 10 (1)(d)(3), provides for the adoption and enactment of local laws,  
except where same are expressly prohibited by the State legislature, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the  
public interest to provide cost savings where publication of ordinances can  
be done by summary, and

WHEREAS, the Town Board of the Town of Lancaster further deems it  
in the public interest to adopt and enact the proposed "Local Law No. 3 of  
the Year 1981, to be known as Publication of Ordinances by Summary", which  
reads as follows:

LOCAL LAWS

CHAPTER 27

PUBLICATION OF ORDINANCES BY SUMMARY

PROPOSED

LOCAL LAW NO. 3

1981

A LOCAL LAW TO PROVIDE FOR THE PUBLICATION OF ORDINANCES BY SUMMARY.

- §27.1 Legislative Intent
- §27.2 Publication by Summary
- §27.3 Town Law Superseded
- §27.4 When Effective.

Be it enacted by the Town Board of the Town of Lancaster, as follows:

§27.1 Legislative Intent.

This Local Law is enacted to provide for the publication of newly enacted town ordinances by summary to effectuate cost savings in the publication of said ordinances.

§27.2 Publication by Summary.

Every ordinance and every amendment or supplement to an ordinance hereafter adopted or approved by the Town Board of the Town of Lancaster which is or may be required to be published in one or more newspapers in order to make such ordinance, amendment or supplement effectual shall not be so published in full, but it shall be sufficient to publish in such newspaper or newspapers a notice setting forth the title thereof, a brief description of the provisions thereof and a statement that the full text thereof is on file and may be inspected in the office of the Town Clerk.

§27.3 Town Law Superseded.

This Local Law shall supersede in their application to the Town of Lancaster, the provisions of §§ 133, 264 and 265 of the Town Law relating to publication only of an ordinance, amendment or a supplement to an ordinance adopted or approved by the Town Board.

§27.4 When Effective.

This Local Law shall be subject to referendum on petition pursuant to §24 of the Municipal Home Rule Law and shall take effect immediately upon filing in the office of the Secretary of State in accordance with §27 of such law.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law No. 3 of the Year 1981, also known as Chapter 27, of the Code of the Town of Lancaster, entitled, "Publication of Ordinances by Summary", will be held at the Town Hall, 21 Central Avenue Lancaster, New York, at 8:00 o'clock P.M., Local Time, on the 21st day of December, 1981, and that Notice of the time and place of such hearing be published on December 10, 1981, in the Lancaster Enterprise, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to make copies of the proposed Local Law No. 3 of the Year 1981, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

December 7, 1981

## LEGAL NOTICE

PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 7th day of December, 1981, the said Town Board will hold a Public Hearing on the 21st day of December, 1981, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York to hear all interested persons upon the proposed enactment of Local Law No. 3 of the Town of Lancaster, also known as Chapter 27 of the Code of the Town of Lancaster, entitled "Publication of Ordinances by Summary", briefly described as follows:

"A Local Law providing for the publication by summary of amended or newly adopted Town ordinances, where the Town Board deems that it is in the public interest to eliminate costly publication expenses."

A complete copy of the proposed Local Law No. 3 for the Year 1981 entitled, "Publication of Ordinances by Summary", is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, Lancaster Sanitary Land Fill, Inc., 2255 Bailey Avenue, Buffalo, New York, has heretofore been issued a permit and renewals thereof to operate a Sanitary Land Fill within the Town of Lancaster for the period July 1, 1974 to December 31, 1980 on a parcel of land east of Gunnville Road containing approximately 78 acres, and

WHEREAS, the permittee has filed an application with the Town Clerk of the Town of Lancaster for a renewal of its permit to operate a Sanitary Land Fill on this 78 acre parcel for the year 1981 in accordance with the same terms and conditions as the original permit, and

WHEREAS, the Town Clerk, by letter dated December 4, 1980, has informed the Town Board that he has reviewed the renewal application and also certified that there are no reports or additional license fees in arrears,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to issue a renewal permit to Lancaster Sanitary Land Fill, Inc. 2255 Bailey Avenue, Buffalo, New York, for the purpose of operating a parcel of land containing approximately 78 acres, all in accordance with the renewal application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set by the Town Board in the amount of \$25,000.00, and

BE IT FURTHER

RESOLVED, that the following surety be and is hereby approved as to form and sufficiency:

Deposit with the Town of Lancaster, 1875 negotiable shares of I.B.M. Corporation Common Stock with a market value on December 2, 1980 of \$66.50 per share; total surety as of December 2, 1980 - \$124,687.50.

and,

BE IT FURTHER

RESOLVED, that so much of the permit approved by the Town Board of the Town of Lancaster on July 1, 1974, set forth in Paragraph 5 thereof, shall be amended by deleting the last sentence of Paragraph 5 and substituting in place and instead thereof, the following:

"The Corporate Permittee shall file with the permit application an annual report with the Town of Lancaster, clearly showing the area of the land fill site filled during the previous year and indicating the percentage of volume of the total site filled."

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

December 7 , 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, a condition of the grant for rehabilitation of sewers in the Town of Lancaster and existing Sanitary Sewer Districts 1 and 2 and extensions to Sanitary Sewer District No. 2, provides that the Town Board shall adopt a resolution restricting sewer hookups or other connections to the sewer collection system within any wetland or within the 100 year floodplain;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Lancaster hereby agrees that for a period of fifty (50) years from the date of the FNSI/EA no sewer hookups or other connections to the sewage collection system included in the scope of this grant, namely, that area within the boundaries of Sanitary Sewer Districts 1 and 2 and extensions to Sanitary Sewer District 2, will be allowed or permitted so as to allow the discharge of wastewater from any dwelling, building, facility or other construction on any parcel of land within any wetland or within the 100 year floodplain, which land parcel as of the date of the FNSI/EA was undeveloped (i.e. upon which no buildings, facility or other construction had been erected or placed) unless approved in writing by the Regional Administrator, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded to Gerald L. Devlin, P.E., Assistant Deputy Commissioner of Operations of the Department of Environment and Planning of the County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon ~~duxx~~ unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GRZYBOWSKI , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 1049 to 1124 Incl.	\$114,028.32
Highway Fund	No. 781 to 808 Incl.	\$ 26,739.96
Special District Fund	No. 546 to 548 Incl.	\$ 6,382.94
Trust & Agency Fund	No. 527 to 531 Incl.	\$ 5,823.97
Federal Revenue Sharing Fund	No. 231 to 247 Incl.	\$ 22,876.88
Capital Fund	No. 576 to 579 Incl.	\$ 50,296.54
Community Development Fund	No. 1068 to 1068 Incl.	\$ 3,032.00

and,

BE IT FURTHER

RESOLVED, that the claim of Rupp Rental & Sales Corp., in the  
amount of \$3,032.00, dated November 13, 1981, be and is hereby approved and  
the Supervisor be and is hereby ordered to submit this claim to the  
Community Development Project No. 435311, South Lancaster Neighborhood  
Improvement, for reimbursement.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxduly~~  
The resolution was thereupon unanimously adopted.

December 7, 1981

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN CZAPLA , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 GRZYBOWSKI , TO WIT:

RESOLVED, that the following Building Permit Applications be and  
 are hereby approved and the issuance of Building Permits be and are hereby  
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
177	Josela Enter.	72 Country Pl.	ER. FR. SIN. DWLG, PVT. GARAGE
178	Josela Enter.	2 Country Pl.	ER. FR. SIN. DWLG, PVT. GARAGE
179	Paul Ostermeier	2 Home Road	ER. FR. SIN. DWLG

The question of the adoption of the foregoing resolution was duly  
 put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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 The resolution was thereupon unanimously adopted.

December 7, 1981

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, the Supervisor has requested that a Special Meeting of the Town Board be held at 4:30 P.M. on Monday, December 28, 1981, at the Town Hall, Town of Lancaster, New York, for the purpose of conducting year-end business of the Town of Lancaster and such other and further business as may normally come before the Town Board at a Regular Meeting thereof, and

WHEREAS, it is necessary to set a time and place for a Special Bi-annual Organizational Meeting of the Town Board of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Regular Meeting of the Town Board of the Town of Lancaster scheduled for December 21, 1981, be held in the Town Hall in the Opera House rather than the usual Council Chambers, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby sets a Special Meeting of the Town Board of the Town of Lancaster at 4:30 P.M. on Monday, December 28, 1981, at the Town Hall in the Council Chambers for the purpose of conducting year-end business of the Town of Lancaster for such other and further business as may normally come before the Town Board at a Regular Meeting thereof, and

BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby sets a Special Bi-annual Organizational Meeting of the Town Board of the Town Board of the Town of Lancaster at 1:00 P.M. on New Year's Day, January 1, 1982, at the Town Hall in the Opera House, Town of Lancaster, for the purpose of conducting the Bi-annual Organizational Meeting of the Town of Lancaster and for such other and further business as may normally come before the Town Board at a Regular Meeting thereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to give Notice in accordance with the Open Meetings Law of the State of New York to the media.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

SUPERVISOR KEYSA VOTED YES

~~amx~~  
The resolution was thereupon unanimously adopted.

December 7, 1981

Councilman Berent requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Police Department of the Town of Lancaster, New York, one (1) new 1982 Police Car in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on December 7, 1981, and

WHEREAS, Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, has submitted a "Net Bid with Trade" for the furnishing of one (1) new 1982 Police Car for the sum of \$7,598.00, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the above mentioned automobile, and further that said bid is the lowest responsible "Net Bid with Trade" submitted conforming with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low "Net Bid with Trade" of Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, in the net amount of \$7,598.00 for one (1) new 1982 Police Car be and the same is hereby accepted and that order for such automobile is hereby authorized to be placed and that delivery be made not later than seventy (70) to one hundred twenty (120) days after date of order with funds to be drawn as follows: \$1,500.00 from "Insurance Recoveries" and \$6,078.00 from the "Contingent" Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~clerk~~

The resolution was thereupon unanimously adopted.

December 7, 1981

Councilman Grzybowski requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GRZYBOWSKI , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, by resolution dated March 19, 1979, appointed ROBERT W. URBAN, Highway Superintendent of the Town of Lancaster, as the First Alternate Disaster Response Coordinator, and

WHEREAS, ROBERT W. URBAN will be leaving the service of the Town of Lancaster on January 1, 1982,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby appoints ROBERT L. LANEY, Building Inspector of the Town of Lancaster, as the new First Alternate Disaster Response Coordinator to replace Robert W. Urban, and

BE IT FURTHER

RESOLVED, that any necessary appropriate action be taken by the Supervisor of the Town of Lancaster to notify the appropriate County officials of the appointment of ROBERT L. LANEY.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
SUPERVISOR KEYSA	VOTED YES

mlkxx

The resolution was thereupon unanimously adopted.

December 7, 1981

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit Application - Kans Supply, Inc.  
On November 16, 1981, this matter was referred to the Planning Board for review and recommendation.
2. Dumping Permit Application - Walt's Tree Service  
On April 16, 1981, the Planning Board recommended denial of this application. On April 20, 1981, the Town Board returned this application to the Planning Board for further review and recommendation.
3. General Insurance Review  
On October 21, 1981, the Town Board directed the Insurance Consultant to prepare specifications to market the Town's insurance requirements. On November 2, 1981, the Town Clerk was directed to forward specifications to ten area insurance agencies.
4. Grade Crossings, Maple Drive Signalization  
On February 4, 1980, the N.Y.S. Dept. of Transportation acknowledged receipt of the Town Board resolution requesting signalization of this crossing and forwarded it to Albany Railroad Safety Section for review.
5. Public Improvement Permit Authorization, Countryside Subdivision, Phase 1 (Josela)  
The Town Board on October 1, 1979, authorized issuance of P.I.P. No. 75 (street lighting) and P.I.P. No. 76 (sidewalks) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
6. Public Improvement Permit Authorization, Country View East Subdivision, Phase 1 (Marrano)  
On January 21, 1980, the Town Board authorized issuance of P.I.P. No. 77 (sidewalks) and No. 78 (street lighting) which have not yet been accepted by the Town Board. The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1982.
7. Public Improvement Permit Authorization, Heritage Hills Subdivision, Phase 1  
The Town Board authorized issuance of P.I.P. No. 60 (street lighting) and P.I.P. No. 70 (sidewalks) which have not yet been accepted by the Town Board. The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
8. Public Improvement Permit Authorization, Woodview Estates Subdivision  
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
9. Review Ambulance Fees - Village of Depew  
On December 7, 1981, the Town Attorney reported that he has requested a discussion meeting with the Village of Depew.
10. Special Use Permit - Brink's Motors, Inc.  
On March 2, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:11. Street Lighting - New Subdivisions

On June 15, 1981, this matter was referred to the Lighting Committee for review. On August 18, 1981, the Town Clerk wrote to the developers of Heritage Hills Subdivision, Country View East Subdivision, and Countryside Subdivision directing them to repair all damaged items.

12. Subdivision Approval - Countryside East

On January 15, 1979, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

13. Subdivision Approval, Lancaster Industrial Commerce Center

On May 12, 1981, the N.Y.S. Dept. of Audit and Control acknowledged receipt of the Water, Sanitary Sewer, and Drainage District applications.

14. Subdivision Approval, Plumb Bottom Estates

On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.

15. Traffic Study, Central and Columbia Avenues Intersection

On September 4, 1980, the County Dept. of Highways requested a report of all accidents at this intersection for the past three years. On October 8, 1980, the Town Clerk provided the County with the required report data.

16. Traffic Study, Genesee Street and Ransom Road

On July 6, 1981, the Town Board adopted a resolution requesting the N.Y.S. Dept. of Transportation to improve the sight line distances at this intersection. On July 13, 1981, the N.Y.S. Dept. of Transportation notified the Town Board that they will conduct this study as their caseload permits.

17. Traffic Study, Green Arrows at Central and Walden Avenues

On March 20, 1981, the N.Y.S. Dept. of Transportation notified the Town Board that green arrows will be installed at this intersection.

18. Traffic Study, Speed Reduction on Central Avenue

On November 13, 1981, the N.Y.S. Dept. of Transportation notified the Town Board that a 40 mph speed restriction is being processed.

19. Traffic Study, Speed Reduction on William Street

On September 9, 1980, the N.Y.S. Dept. of Transportation notified the Town Board that this study was under way.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Madeline Waiss, 359 Stony Road, spoke briefly with the Town Board relative to the flooding situation which often occurs on Stony Road in the area of the Ellicott Creek Bridge.

The Supervisor and Town Board members informed Mrs. Waiss what has been done in the past and what is presently being done to alleviate the flooding problem in that area.

COMMUNICATIONS:DISPOSITION

920. Town Clerk to Town Board - Transmittal of Application for Dumping Permit filed by Kans Supply, Inc.	R & F
921. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 11/16/81.	R & F
922. Town of Tonawanda to Town Board - Transmittal of resolution adopted on 11/15/81 relative to costs defending assessment reduction cases.	R & F
923. Lovell Safety Management Co., Inc. to Town Clerk - Notice of audit adjustment bills to correct errors made by State Insurance Fund.	R & F SUPERVISOR
924. Town Engineers to Town Attorney - Transmittal of project cost for sewer system rehabilitation work.	ATTORNEY
925. Supervisor to Chair., Parks and Recreation Committee - Suggestion that Countryside Park not be included in any proposal for park development.	R & F JOSELA ENTERPRISES
926. Receiver of Taxes to Town Board - Report of 1981-82 school taxes collected as of 10/31/81.	R & F
927. Building Inspector to Town Board - Report of building permits issued by surrounding towns.	R & F
928. County Executive to Supervisor - Notice of Crisis Relocation Planning Operations Seminar to be held at Buffalo on 12/2/81.	R & F
929. County Dept. of Environment and Planning to Supervisor - Comments and suggestions regarding the proposed Lancaster-Alden Agricultural District.	R & F SUPERVISOR
930. Supervisor to County Dept. of Public Works - Request investigation into Cemetery Rd. overpass.	R & F
931. Supervisor to Alfred F. Reigle - Request for assistance regarding skunk problem on Old Schoolhouse Rd.	R & F
932. Chief of Police to County Executive - Comments regarding "STOP DWI" Program.	R & F
933. Supervisor to Buffalo Sewer Authority - Request materials be sent to Charles Alessi, County Dept. of Environment and Planning.	R & F
934. U.S. Postal Service to Town Clerk - Response to letter regarding cluster mail boxes in subdivisions.	R & F DEP, TOWN ATTORNEY
935. Town Attorney to Nathan Neill, Esq. Recommendations regarding Sewer System Rehabilitation Program.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

936. D.C.O. to Town Board -  
Information regarding solution to skunk  
problem on Old Schoolhouse Rd.
937. Town Attorney to Town Board -  
Comments regarding Step II Design Grant,  
ECSD No. 4.
938. N.Y.S. Dept. of Environmental Conservation  
to Phillip Antonicelli -  
Comments regarding Plumb Bottom Creek  
relocation.
939. Lancaster Public Library Director to  
Supervisor -  
Request for transfer of funds to cover  
cost of replacement of vandalized book  
drop.
940. Town Architects to Robert Hammersmith -  
Answers to items discussed regarding  
new roofing at Senior Citizens Building.
941. National Fuel to Supervisor -  
Notification of late charge on all  
arrearages effective 10/19/81.
942. Supervisor to Police Chief -  
Transmittal of Disaster Response Plan for  
dispatch operations.
943. Planning Board to Town Board -  
Comments regarding Countryside  
Subdivision mail delivery restrictions.
944. Planning Board to Town Board -  
Minutes from meeting held 11/18/81.
945. Town of Amherst to Town Board -  
Notice of Public Hearing to be held  
12/7/81 regarding proposed Zoning  
Ordinance Amendment.
946. Southeast Community Work Center, Inc. to  
Town Board -  
Notice of Open House to be held 12/31/81  
at 149 Central Ave.
947. N.Y.S. Commission on Cable Television to  
Supervisor -  
Transmittal of "Order Granting Certificate  
of Confirmation" to Global Cable TV.
948. Town Clerk to Zoning Board Members -  
Transmittal of Notice of Public Hearing  
and data relative to Variance Petition  
application filed by M/M Jeffrey Tiburzi.
949. N.Y.S. Div. of Equalization and Assessment  
to Supervisor -  
Transmittal of materials relative to Gov.  
Carey's Property Tax Proposal.
950. Robert W. Urban to Town Board -  
Request reappointment to Ambulance Board.
951. Howard A. Benzel to Town Board -  
Notification of resignation from Ambulance  
Board.

SUPERVISOR

R &amp; F

PLANNING BOARD

SUPERVISOR

R &amp; F

SUPERVISOR

R &amp; F

DEP. TOWN ATTORNEY

R &amp; F

R &amp; F

R &amp; F

DEP. TOWN ATTORNEY

R &amp; F

R &amp; F

TOWN CLERK FOR REPLY

ORGANIZATIONAL MEETING

R &amp; F

COMMUNICATIONS CONT'D.:

DISPOSITION

952.	Twin District Vol. Fire Co., Inc. to Town Clerk - Invitation to attend dedication of rescue vehicle on 12/13/81 at Fire Hall.	R & F
953.	Living Opportunities of W.N.Y., Inc. to Town Board - Invitation to attend open house on 12/16/81 at Darien Center.	R & F
954.	Town Clerk to Supervisor - Monthly report for November 1981.	R & F
955.	Assembly Task Force on Infrastructure to Supervisor - Notice of Public Hearings to be held 12/14/81 at various locations.	R & F SUPERVISOR
956.	Blue Cross/Blue Shield to Supervisor - Notification of rate change effective 1/1/82.	R & F
957.	Marilla Town Board to Supervisor - Transmittal of resolution opposing proposed N.Y. Telephone rate increase.	R & F
958.	County Dept. of Public Works to ConRail - Recommendation that investigation be conducted regarding deterioration of Cemetery Rd. Bridge.	R & F
959.	N.Y.S. Dept. of Environmental Conservation to Supervisor - Transmittal of "Notice of Complete Application" regarding dam construction, sanitary sewer approval.	ATTORNEY
960.	M & T Bank to Supervisor - Request designation as Official Depository for 1982.	ORGANIZATIONAL MEETING
961.	Supervisor to Sen. Volker - Request for reconsideration of position and vote regarding proposed assessment legislation.	TOWN CLERK FOR REPLY
962.	Supervisor to Assemblyman Graber - Request for reconsideration of position and vote regarding proposed assessment legislation.	TOWN CLERK FOR REPLY
963.	N.Y.S. Div. of Substance Abuse Services to Drug Abuse Prevention Council - Transmittal of executed contract.	R & F
964.	Recreation Commission to Town Board - Request permission for Director and Supervisor to attend annual Recreation Conference at Kiamesha Lake from 1/21-24/82.	TOWN CLERK FOR RESOLUTION 12/21/81
965.	Building Inspector to Town Board - Monthly report for November 1981.	R & F
966.	N.Y.S. Dept. of State to Supervisor - Notification that code compliance reports regarding State Uniform Fire Prevention and Building Code Act must be submitted by 12/28/81.	R & F ATTORNEY BLDG. INSP.

COMMUNICATIONS CONT'D.:DISPOSITION

967. County Real Property Revaluation Program to Supervisor -  
Frequent questions and answers thereto regarding above program.
968. Supervisor to Town Board -  
Notification of various investments made during November 1981.
969. Town of West Seneca to County Dept. of Environment and Planning -  
Questions regarding ECSD No. 4 Construction Grant General Conditions.

R &amp; F

R &amp; F

R &amp; F

The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications -  
SUSPENSION GRANTED.

970. Deputy Town Attorney to Town Board -  
Notification of agreement by Assem. Graber to sponsor bill for legislative amendment regarding Justice and Speeding Violation fines.
971. Building Inspector to Town Board -  
Request authorization for himself and Ass't Building Inspector to attend BOCES course.

R &amp;

R &amp; F

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:15 P.M. out of respect to:

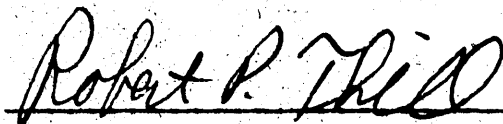
DR. JOSEPH A. FAHEY

HAROLD KELLY

PETER BUNCK

ROBERT KEICHER

Signed



Robert P. Thill, Town Clerk